

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

YVETTE LOCKHART-BEMBERY,

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Plaintiff

*

*

v.

*

* **C.A. NO. 04-10581-PBS**

TOWN OF WAYLAND POLICE DEPARTMENT, *

ROBERT IRVING, in his capacity as CHIEF OF *

THE WAYLAND POLICE DEPARTMENT and *

DANIEL SAURO, *

*

Defendants

*

MOTION IN LIMINE TO EXCLUDE
ANY REFERENCE TO ANY CRIMINAL CHARGES
OR TO THE REASON FOR PLAINTIFF'S U.S.M.C. EXPERIENCE
OR ITS AFTER EFFECTS

Now comes the plaintiff and moves this Honorable Court order that the defendants be barred from making any reference to any arrest or criminal charge, as the plaintiff has never been convicted of any crime and the mention of criminal charges long in the past, for which the plaintiff was not convicted, is highly prejudicial and of no probative value.

Similarly, the plaintiff requests this Honorable Court order that the defendants be barred from making any reference to the horrible circumstances that led to the plaintiff's departure from the United States Marines or any reference to the effects this event had or may have had. None of this is relevant to the present issues in dispute: whether defendant Sauro placed the defendant in danger by ordering her to push her car in the snow. On the other hand, the issues of what happened to her 40 years ago is highly embarrassing and intrusive to any woman.

Plaintiff by counsel,

Date: January 27, 2006

/s/ Andrew M. Fischer

Andrew M. Fischer

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CERTIFICATE OF SERVICE

I, Andrew M. Fischer, hereby certify that on this date I served a copy of the above document on the defendants by mailing a copy, first class, postage prepaid to Jeremy Silverfine, Brody, Hardoon, Perkins & Kesten, LLP, One Exeter Plaza, Boston, MA 02116.

Date: January 27, 2006

/s/ Andrew M. Fischer
Andrew M. Fischer

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